

Notice of Allowability

Application No.

09/515,575

Examiner

Timothy M. Harbeck

Applicant(s)

LEVY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed 12/20/2006.
2. ☒ The allowed claim(s) is/are 1,3-19,21-31 and 34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 1, 3-19, 21-31 and 34 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art does not disclose or suggest each and every limitation of the present invention.

The present invention is directed toward a method and system for harvesting feedback and comments regarding multiple items from users of a network-based transaction facility.

Claim 1 reads as follows:

1. *A method of harvesting feedback pertaining to transactions facilitated by a network-based transaction facility, the method including:*

identifying a plurality of transactions associated with a first user, the plurality of transactions comprising completed transactions, facilitated by a network-based transaction facility, in which the first user participated with at least two other users;

communicating user interface information from the network-based transaction facility to a client associated with the first user via a communications network, the user interface information including transaction information concerning at least first and second transactions of the plurality of transactions associated with the first user and specifying a single feedback interface facilitating user input of feedback information for each of the at least first and second transactions of the plurality of transactions, the first transaction comprising a first completed transaction in which the first user participated

with a second user, the second transaction comprising a second completed transaction in which the first user participated with a third user; and

receiving at the network-based transaction facility, the feedback information provided by the first user through the single feedback interface, for each of at least the first and second transactions, the feedback information being received via the communications network.

Essentially, Claim 1 requires receiving feedback information through a single feedback interface for multiple transactions with multiple trading partners.

As shown in the most recent Remarks, Figure 10 of the application provides an example of the above limitations. The figure shows the single feedback interface 110, that facilitates user input of feedback information. The example single feedback interface 110 is shown to facilitate user input for three completed transactions. Specifically, the example single feedback interface exemplifies the facilitation of user input for a first completed transaction between a user and "skippy1," the facilitation of user input for a second completed transaction between the user and "pete1," and the facilitation of user input for a third completed transaction between the user and "mark1."

The prior art currently on the record is

- US Patent 6,141,653 issued to Conklin et al
- Non-Patent Literature document, via the 'Wayback Machine' of the 'Ebay' website on November 11, 1999 (hereinafter Forum)
- Non-Patent Literature document, via the 'Wayback Machine' archive of a link from the 'Ebay' website on November, 22, 1999 (hereinafter FAQ)

Conklin describes systems for creating sponsored communities over a network such as the Internet to enable iterative, multivariate negotiations. Conklin fails to teach or suggest receiving feedback information through a single feedback interface for a first transaction and a second transaction.

Forum describes a Feedback Forum for leaving comments or messages in a Feedback Profile associated with a specific user. Accordingly, a user would be required to access different Feedback Profiles to leave messages for different users. Accessing different Feedback Profiles to leave feedback for different users is not the same as receiving the feedback information through a single feedback interface for a first completed transaction in which the first user participated with a second user and a second completed transaction in which the first user participated with a third user. The Feedback Forum, as described, apparently requires the user to advance through a series of interfaces to locate the Feedback Profile of a recipient user to send comments or messages to the recipient user.

Forum in combination with FAQ therefore cannot be said to teach or suggest the above quoted limitations from claim 1 because Forum in combination with FAQ describe leaving messages in a Feedback Profile for a single user and claim 1 requires receiving feedback information through a single feedback interface for multiple trading parties.

In addition, it should be noted that Forum and FAQ are snapshots of a website that appears to have been owned and operated by the assignee. It therefore stands to reason that these references may not qualify as prior art.

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Therefore, it appears that the prior art of record does not disclose each and every limitations of the prior art, specifically a single feedback interface that shows multiple transactions from multiple users on the same screen.

Additional prior art that is relevant to applicants disclosure

- Salmon et al (US 5,592,375)

Salmon discloses a computer-assisted system for interactively brokering goods or services between buyers and sellers, including a database, a seller interface, and a buyer's interface. The seller interface enables the sellers to interactively enter information, including multimedia information, into the database. The buyer's interface provides a knowledge-based interactive protocol, enabling the buyer to select and review the descriptive information from the database, and makes perceptible the multimedia information in response to an interactive request.

While there is an interface associated with a system for brokering of goods and services, it appears this interface is presented prior to completion of a transaction, and furthermore contains information regarding a single potential transaction. Therefore it does not make up for the deficiencies of the other cited art.

In summary the prior art does not teach or suggest each and every limitation of claim 1 as required to support an obviousness rejection under 35 U.S.C. 103. In addition to independent claim 1, the above remarks also apply to the independent claims 18, 30, 31 and 34 as well as all dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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SUPERVISORY PATENT EXAMINER